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C O N F I D E N T I A L SECTION 01 OF 02 CARACAS 000766

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TAGS: PHUM PGOV VE

SUBJECT: HARASSMENT OF VENEZUELAN HUMAN RIGHTS NGO

Classified By: POLITICAL COUNSELOR ABELARDO A. ARIAS FOR REASONS 1.4 (d
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Summary

11. (C) The GOV has taken several steps recently which have intimidated the human rights NGO Committee for the Families of the Victims of February 1989 (COFAVIC), according to the NGO's director, Liliana Ortega (please protect). The harassment, she told poloff, has included: a public letter from a prosecutor accusing Ortega of lying, stealing money from the victims, and failing to cooperate with the investigation of the February 1989 riots; attempts by a reporter from the government press agency to link the organization publicly to USG funding; and the unilateral withdrawal of Ortega's police escort, in defiance of the Inter-American Court of Human Rights. Ortega also reported an attempt on her life on October 25, 2004, featuring a man with alleged links to pro-Chavez mayor Freddy Bernal from Caracas' Libertador borough. End Summary.

Silent NGOs are the Best NGOs

12. (C) The GOV is engaged in a campaign to intimidate the human rights NGO Committee for the Families of the Victims of February 1989 (COFAVIC), the group's director told poloff March 10. Liliana Ortega said the campaign was unprecedented, and she was scared about where it could lead, from a physical attack to criminal charges. She noted that every time a human rights group or leader made public comments critical of the GOV, they were harassed and intimidated by the GOV.

Prosecutor Lashes Out

13. (C) On March 1 the prosecutor investigating the February 1989 "Caracazo", Alis Farinas, released a statement calling Ortega's comments during an anniversary press conference, "false and tendentious." The prosecutor accused COFAVIC of not cooperating in the investigation, of false representation of the victims, and of possibly defrauding the victims of the compensation. Ortega described Farinas as a fervent Chavista, adding that it was unlikely that she made the statement without the Attorney General's authorization.

14. (C) COFAVIC countered with a press statement March 2 calling Farinas' statement "one of the most serious acts of intimidation and harassment that human rights groups have ever suffered in Venezuela. Ortega told poloff COFAVIC's actions over the years have been reviewed by the Inter-American Court of Human Rights, and showed poloff letters of thanks from Farinas to COFAVIC for the group's cooperation. Ortega said she was worried the prosecutor's statement was designed to establish the basis for criminal charges against her for obstructing justice, false representation or fraud.

GOV Press Looks for US Hand

15. (C) Ortega noted that following the February 27 press conference, the reporter from the GOV's Bolivarian News Agency (ABN), insistently asked if COFAVIC received financing from the USG, and if the staff was paid in dollars. (Note: The operational funding of COFAVIC is provided by the Jesuit Alboa Foundation, 65%, and the EU 35%. USAID has financed specific projects, such as an upcoming study on police death squads. Ortega and five other employees are paid their salaries in Euros, as part of the EU financing.) Ortega says she gave a qualified answer, pointing out that the group received no money from the USG to track cases.

17. (C) The ABN article, picked up by the radical Chavista Aporrea web-site, includes such affirmations as, "In fact, all the workers of COFAVIC are paid in dollars, information

indirectly confirmed by Ortega," and, after quoting Ortega, "That is to say, according to the executive director of COFAVIC, it is constitutional for workers to receive their salary in foreign currency." Colina goes on to claim that Hilda Paez, President of COFAVIC, and the mother of one of the victims, "didn't rule out the possibility that the organization received financing from the U.S. government, even though Ortega emphatically denied it when asked." Ortega told poloff that the article reads more like an editorial, and that the obvious attempt to link COFAVIC to the USG makes her nervous. She was particularly upset that Aporrea carried the story, stating that it could lead to violence against her or COFAVIC.

Police Escort Withdrawn

17. (C) On March 4, while Ortega was in Washington addressing the Inter-American Human Rights Commission (IAHRC), the Caracas Metropolitan Police informed COFAVIC that the protection it had previously provided under Inter-American Court of Human Rights orders would cease. After a series of calls and conversations among IAHRC Commissioner Paulo Sergio Pinherio, Venezuelan Ambassador to the OAS Jorge Valero, and MFA officials, Ambassador Valero called Ortega to tell her that Vice President Jose Vicente Rangel had decided to return the police protection. Ortega said Valero's deputy, Iliana Medina, verbally abused her in a meeting with Valero and Pinherio, asking "do you really need protection?", and telling Ortega that she was indignant that she would request international protection from the GOV. On March 5 the Inter-American Court of Human Rights ratified the protective order, in what Ortega described as a strongly worded statement, recalling the failure of the GOV to implement previous orders in a timely fashion, and revealing that the GOV had requested the suspension of the measures February 14. By March 10, police protection for Ortega had not resumed.

18. (C) Explaining why she continues to fear for her safety, Ortega told poloff that on October 25, 2004, a motorbike had attempted to run her over in a garage while she was picking up her car. The assailant fled when he saw the police officers escorting Ortega. The NGO director said an employee of the garage identified the assailant as an employee of the municipal government of the Libertador borough of Caracas, governed by Freddy Bernal. The Court cited this case in reaffirming its protective order, she said.

Barbarity

19. (C) Carlos Correa, coordinator of the human rights NGO PROVEA, told poloffs March 11 that the Farinas' statement was a "barbarity." Correa was reluctant to comment on the confrontation, but said he believed the GOV was moving towards a criminalization of USG financing of Venezuelan NGOs. Correa also stated that there were indications that the GOV would maintain and intensify its campaign against COFAVIC and Liliana Ortega. He said if this happened, PROVEA and other allied human rights NGOs would defend COFAVIC.

Comment

11. (C) The threat of physical harm against Ortega (the face of COFAVIC), or a judicial offensive is significant, and would have a chilling effect on Venezuelan civil society and human rights defenders. The fact that COFAVIC receives significant funding from European sources, and the high esteem in which the group is held in the IAHRC and the Court, mean that any moves against the group are likely to focus international attention on the situation of NGOs in Venezuela.
Brownfield